

DISCUSSION OF THE AMENDMENT

Claim 1 has been amended by raising the minimum DBP value to 382 g/100g, as supported in the specification in the Table, Example 2, at page 10 of the specification. New Claims 19 and 20 have been added, as supported in said Table, Examples 5 and 4, respectively.

No new matter is believed to have been added by the above amendment. Claims 1-17, 19 and 20 are now pending in the application.

REMARKS

The Board affirmed a rejection of Claims 1-4, 10-14 and 17 under 35 U.S.C. § 103(a) as unpatentable over U.S. 4,495,167 (Nauroth et al), and reversed the rejection of Claims 5-9.

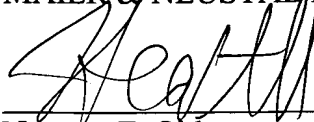
Although Applicants argued that the DBP absorption value reported in Nauroth et al for their Example 1 of 380 g/100g is incorrect, i.e., that the DBP absorption value is only 355 g/100 g, and that a DBP absorption value of at least 380 g/100 g cannot be obtained by the process disclosed in Nauroth et al, the Board found that Nauroth et al presented a *prima facie* case of obviousness, which Applicants had not rebutted.

While Applicants maintain that the Board was incorrect, Applicants respectfully submit that the issue is now moot, since the present claims now require that the DBP absorption value be at least 382 g/100g. Nauroth et al provides no motivation to make a precipitated silica having a DBP absorption value of at least 382 g/100g.

Applicants respectfully submit that all of the presently-pending claims in this application are now in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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